Notice of Allowability	Application No.	Applicant(s)	
	10/693,743	FROLUND ET AL.	
	Examiner	Art Unit	
	Tim Bonura	2114	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *the application filed on 10/23/2003*.

2. ☒ The allowed claim(s) is/are *1-30*.

3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some* c) ☒ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____ .
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

 * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

 Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date See Continuation Sheet
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____ .
7. ☒ ~~Examiner's Amendment~~/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

Continuation of Attachment(s) 3. Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date: 10/23/03, 7/21/05, 1/8/07.

DETAILED ACTION

Specification

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

2. The following title is hereby changed to: Method and Recovery of Data using erasure coded data from stripe blocks.

Allowable Subject Matter

3. Claims 1-30 are allowed.

4. The following is an examiner's statement of reasons for allowance:

5. Regarding claims 1-30, the prior art of record teach of a system where a system for protection against corruption of data. In order to backup files to be stored in a storage medium, a set of redundant parity symbols is computed by encoding cross-sections across said files using a systematic code. One such example of the prior art is Sorkin, U.S. Patent Number 6,178,536. However, the prior art, when viewed in light of the instant applications claims as read as a whole, fail to teach or suggest a the limitation of "encoding the stripe of erasure coded data from the minimum number of the stripe blocks; sending a write message to each of the storage devices including the timestamp and the stripe block destined for the storage device; and receiving a write reply message from each of at least a second quorum of the storage devices indicating that the stripe block was successfully stored, the first and second quorums each meeting a quorum condition of a number such that any two selections of the number of the stripe blocks intersect in the minimum number of the stripe blocks." The claims have practical application in the field of computer fault detection and recovery.

6. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Tim Bonura.**

- The examiner can normally be reached on **Mon-Fri: 8:30-5:00**.
- The examiner can be reached at: **571-272-3654**.

8. If attempts to reach the examiner by telephone are unsuccessful, please contact the examiner's supervisor, **Scott Baderman.**

- The supervisor can be reached on **571-272-3644.**

9. The fax phone numbers for the organization where this application or proceeding is assigned are:

- **703-872-9306 for all patent related correspondence by FAX.**

10. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov/. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

11. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the **receptionist** whose telephone number is: **571-272-2100.**

12. Responses should be mailed to:

- **Commissioner of Patents and Trademarks**

 P.O. Box 1450

 Alexandria, VA 22313-1450

tmb
May 28, 2007

SCOTT BADERMAN
SUPERVISORY PATENT EXAMINER